

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DONNELL FLOYD,

Plaintiff,

v.

Case No. 17-10938

EXIT STRATEGY, LLC, *et al.*,

HON. TERRENCE G. BERG

HON. MONA K. MAJZOUN

Defendants.

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**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION (DKT. 21), GRANTING DEFENDANT'S  
MOTION TO DISMISS (DKT. 13) AND DENYING PLAINTIFF'S  
MOTION TO STAY EVICTION (DKT. 15)**

This matter is before the Court on Magistrate Judge Mona K. Majzoub's January 16, 2018 report and recommendation (Dkt. 21), recommending that Defendant's motion to dismiss (Dkt. 13) be granted, and that Plaintiff's motion to stay eviction be denied (Dkt. 15). Magistrate Judge Majzoub further recommends that Plaintiff's entire Complaint be dismissed with prejudice, and that Defendants' request for costs and attorney's fees be denied.

The Court has carefully reviewed the Magistrate Judge's report and recommendation, and finds that it is well-reasoned and supported by the relevant law. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). As of this date, no party filed any objections to the report and recommendation, and the time to do so has now expired.

The district court will make a “*de novo*” determination of those portions of the report . . . to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, accept the Magistrate Judge’s report and recommendation of January 16, 2018, as this Court’s findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Majzoub’s report and recommendation of January 16, 2018 (Dkt. 21) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant’s motion to dismiss (Dkt. 13) is **GRANTED**, and that Plaintiff’s motion to stay eviction (Dkt. 15) is **DENIED**. Plaintiff’s Complaint is hereby **DISMISSED WITH PREJUDICE**, with each side bearing its own costs and attorney’s fees.

**SO ORDERED.**

Dated: February 13, 2018

s/Terrence G. Berg  
TERRENCE G. BERG  
UNITED STATES DISTRICT JUDGE

### **Certificate of Service**

I hereby certify that this Order was electronically submitted on February 13, 2018, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb  
Case Manager